

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

| | | |
|---------------------------|---|---------------------------------|
| MARK BIROSHAK, et al., | : | Civil No. C-1-01-300 |
| | : | Senior Judge Weber |
| Plaintiffs, | : | |
| | : | |
| v. | : | <u>FEDERAL DEFENDANTS'</u> |
| | : | <u>STATUS REPORT AND MOTION</u> |
| CITY OF HAMILTON, et al., | : | <u>FOR AN EXTENSION OF TIME</u> |
| | : | <u>TO FILE SUMMARY JUDGMENT</u> |
| Defendants. | : | <u>MOTION</u> |

The federal defendants submit the following status report:
The settlement proposal submitted by the plaintiffs to the federal defendants has been reviewed by the agencies involved. It must be reviewed by the Department of Justice in Washington, D.C. It is anticipated that this review process will take another ten to fourteen days. As a result, the federal defendants suggest that the parties report back to the Court no later than March 1, 2004.

Additionally, the federal defendants respectfully move the Court to extend the date for the filing of their dispositive motion to March 1, 2004. Counsel has been unable to reach the other counsel concerning this request.

Respectfully submitted,

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United States Attorney

s/Gerald F. Kaminski
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing FEDERAL DEFENDANTS' STATUS REPORT AND MOTION FOR EXTENSION OF TIME TO FILE SUMMARY JUDGMENT MOTION was served on this 17th day of February, 2004, electronically on: Scott T. Greenwood, Esq., and Wilson G. Weisenfelder, Esq.

s/Gerald F. Kaminski
GERALD F. KAMINKSI
Assistant U.S. Attorney